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APPENDIX B

SUMMARY OF PAST ENFORCEMENT ACTIONS

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- USEPA issued an Administrative Order under 40CFR 61.65(a) for the discharge of VCM through relief valves under non-emergency conditions (7/2/79). The order was withdrawn.
- USEPA issued a Complaint and Compliance Order under 40CFR 265.173 (a), 265.171 and 265.31 for improper storage of drums in a hazardous waste area (7/27/81). A Consent Agreement was entered.
- NJDEP issued a Cease and Desist Order under NJAC 7:27-8.3(e)2 for improper venting of VCM (8/15/83). The order was subsequently dismissed.
- USEPA issued a Complaint in U.S. District Court under 42USC Section 7401 (Clean Air Act) and 40CFR 61.60 for improper VCM emissions and a failure to comply with monitoring requirements (9/16/85). A Consent Decree was subsequently entered.
- NJDEP issued a Notice of Violation and Administrative Order and levied a penalty for insecure closure of containers and improper labeling of containers (6/26/87). This was followed by an Agreement.
- NJDEP issued a Notice of Violation under NJAC 7:26-9.4(g)5 6iii and 6iv for failure to review training methods, have a written training program and document training (6/26/87). The notice is believed to have been withdrawn.
- NJDEP issued an Administrative Order and Notice of Administrative Penalty Assessment under NJSA 26:2c-19(e) for failure to notify DEP of VCM releases from a decant tank (8/5/87).
- NJDEP issued an Administrative Order and Notice of Administrative Penalty Assessment under NJAC 7:27-8.3(e)2 for the control apparatus not having all components functioning.
- June 27, 1997 NJDEP issued an Administrative Consent Order for violations of effluent limitations at the permitted discharge to surface water, citing exceedances of the total suspended solids discharge limit and acute bioassay failures. The facility received notice that effective November 30, 1998, it had successfully met all requirements and the Order is vacated.